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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,057	10/19/2001	Craig M. Janik	5532.P020	8593

7590 05/24/2004

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EXAMINER

LELE, TANMAY S

ART UNIT	PAPER NUMBER
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2684

15

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,057

Applicant(s)

JANIK ET AL

Examiner

Tanmay S Lele

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 and 46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05 March 2004 has been entered.

Response to Arguments

2. Applicant's arguments filed 09 March 2004 have been fully considered but they are not persuasive.

3. In response to applicant's argument that "Kolls does not disclose that digital content is obtained from a WAN, based on user defined preferences input into the remote computer system, while a wireless LAN is not within range of the wireless transceiver of an automotive storage and playback device, and providing that content to the automotive storage and playback device," a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

Regarding claim 1, Applicant attempts to overcome the rejection by stating, "Kolls does

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not disclose that digital content is obtained from a WAN, based on user defined preferences input into the remote computer system, while a wireless LAN is not within range of the wireless transceiver of an automotive storage and playback device, and providing that content to the automotive storage and playback device.” Note that these limitations were not previously presented in the claims and hence not addressed. Note that Examiner respectfully disagrees that Kolls does not teach or recite the claimed as currently presented. Note that data is obtained from a WAN (in this case the Internet), as recited in Kolls (one example being column 6, lines 38 – 44). Further note that user preferences can potentially be inputted into a computer (for example column 44, lines 52 – 60), and thus Examiner further respectfully disagrees with Applicant’s comments of, “In fact, Kolls maintains user preferences regarding content to be downloaded from the vehicle itself. Kolls does not teach, mention, or disclose having user preferences remote from the automobile.” Lastly, means do exist for, “... while a wireless LAN is not within range of the wireless transceiver of an automotive storage...” as noted in Kolls (for example, column 6, lines 19 – 37). Hence, because the Examiner is required to interpret the claims in the broadest reasonable manner under current examining practice, the Examiner is not persuaded by the Applicant’s arguments suggesting references do not teach or recite the claimed as currently presented.

4. In response to applicant's argument that “In fact, Cannon is silent with regard to using discovery messages to facilitate the download of content between the system control application and control firmware as set forth in the claims. Furthermore, since the discovery messages pertain to the control firmware and system control application, which are software applications, the inventor would not look to Cannon, a patent on Bluetooth transceivers, for discovery

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message art,” a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963).

In regards to claims 2, 15, 20, and 35, Applicant attempts to overcome the rejection by stating, “In fact, Cannon is silent with regard to using discovery messages to facilitate the download of content between the system control application and control firmware as set forth in the claims. Furthermore, since the discovery messages pertain to the control firmware and system control application, which are software applications, the inventor would not look to Cannon, a patent on Bluetooth transceivers, for discovery message art.” Note that these limitations were not previously presented in the claims and hence not addressed. Note that Examiner respectfully disagrees that the combination of Kolls in view of Cannon do not teach or recite the claimed as currently presented. Note that firmware by definition (for example Newton’s Telecom Dictionary 10th Edition) is a semi-permanent memory used in conjunction with hardware and software, and thus looking to a Bluetooth system (which would require both for establishment of connect and thus data transfer) is respectfully not be believed to be beyond the reason. Continuing, Cannon further teaches of data transfer immediately after synchronization (as per column 3, lines 61 –65). Hence, because the Examiner is required to interpret the claims in the broadest reasonable manner under current examining practice, the

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Examiner is not persuaded by the Applicant's arguments suggesting references do not teach or recite the claimed as currently presented.

5. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a head unit in the platform") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In regards to claims 6 –8 and 25 – 27, Applicant attempts to overcome the rejection by stating, "However, Lee fails to disclose a head unit in the platform." Note that these limitations are not noted in the claimed language as previously or currently presented and hence Examiner is not persuaded by Applicant's arguments that the art, when combined for the cited motivation, do not teach or recite the claimed as broadly interpreted.

6. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In further regards to claims 6 –8 and 25 – 27, Applicant attempts to overcome the rejection by stating, "Furthermore, Lee does not disclose that digital content is obtained from a WAN, based on user defined preferences input into the remote computer system, while a wireless LAN is not within range of the wireless transceiver of an automotive storage and playback device and providing that content to the automotive storage and playback device. Thus, Lee does not overcome the deficiencies of Kolls. Therefore, the combination of Kolls and Lee

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does not disclose all of the limitations in the present invention as claimed, and the combination does not render obvious the present invention as claimed in Claims 6-8 and 25-27.” Note that the combination of Kolls in view of Lee teach the claimed as currently presented. Hence, Lee was not cited as teaching of the above argued, but of the use of cabling as stated in the Office Action. Hence, Examiner is not persuaded by Applicant’s arguments that the art, when combined for the cited motivation, do not teach or recite the claimed as presented.

7. Applicant's arguments with respect to claims 12, 13, 32, and 33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 14, 19, 34, and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 14, 19, 34, and 46, it was not understood how the computer system could obtain data “...while the wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device” (as it was not understood if this system was mobile). For purposes of examination it was assumed this was in regards to performing downloads when the transceivers where in range of one another as per the specification, paragraph 0047. Appropriate clarification is required.

Claims 15 –18, 20-33, and 35- 41 are rejected for at least those reasons recited in claim independent claims 14, 19, and 34.

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Regarding claims 17, 22, and 37, it was not understood how "...the automotive storage and playback device receives the digital content in response to a user action at the computer system," if, as stated in the independent claims from which these claims depend upon, "... the computer system automatically obtain, stores, and sends the digital content...". Appropriate clarification is required.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1,3,4,5,9,14,17,18,19,21,22,23,24,28,29,34,36,37,38,39, and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Kolls (Kolls, US Patent No. 6,389,337).

Regarding claim 1, Kolls teaches of an automotive storage and playback device for coupling to an automobile (Figures 1A – 1M, 3 and 4 and column 53, lines 43- 47) comprising: a first wireless transceiver to receive digital content automatically from a computer system via a wireless local area network based on user defined preferences input into the computer system (Figures 1A – 1M, 3 and 4 and column 53, lines 43 – 47 and column 44, lines 53 –60), the first wireless transceiver communicably coupled to the wireless local area network when the first wireless transceiver is within range of a second wireless transceiver associated with the computer system (Figures 1A – 1M, 3 and 4 and column 5, lines 58 –65); wherein the computer system is located externally and remotely with respect to the automobile and obtains at

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least a portion of the digital content while the first wireless transceiver is outside the range of the second wireless transceiver (column 6, lines 19 –44);and a and converter to convert the digital content to be sent to and played on an output device in the automobile (column 53, lines 43 – 47 and column 54, lines 12 –20).

Regarding claim 3, Kolls teaches all the claimed limitations as recited in claim 1. Kolls further teaches of wherein the first wireless transceiver receives the digital content periodically at times designated according to the user defined preferences input into the computer system (Figures 1A – 1M and column 54, lines 36 –43).

Regarding claim 4, Kolls teaches all the claimed limitations as recited in claim 1. Kolls further teaches of wherein the digital content is transferred to the automotive storage and playback device in response to a user action at the computer system (column 53,line 34 –42 and column 43, lines 46 –52 and column 39, lines 36 –50).

Regarding claim 5, Kolls teaches all the claimed limitations as recited in claim 1. Kolls further teaches of further comprising a storage and datalink unit coupled with the first wireless transceiver, the storage and datalink unit to receive the digital content from the first wireless transceiver and convert the digital content into at least one of binary data and instructions (column 54, lines 6 –19).

Regarding claim 9, Kolls teaches all claimed limitations as recited in claim 1. Kolls further teaches of wherein the digital content includes at least one of a music file, a text file, an image file, a video file, and an interactive multimedia file (column 53, lines 43 –47).

Regarding claim 14, Kolls teaches of an apparatus comprising: a computer system communicably coupled to the wireless local area network, the computer system automatically

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obtaining, storing, and sending digital content via a wireless local area network to an automotive storage and playback device when the automotive storage (Figures 1A – 1M, 3 and 4 and column 53, lines 43- 47) and playback device includes a wireless transceiver that is within range of the wireless local area network the computer system obtaining the digital content from a wide area network based on user defined preferences input into the computer system (Figures 1A – 1M, 3 and 4 and column 53, lines 43 – 47 and column 54, lines 12 –20), while the wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device (column 6, lines 19 –44).

Regarding claims 19 and 34, Kolls teaches of a system and method for transferring digital content to an automobile (Figures 1A – 1M, 3 and 4 and column 53, lines 43- 47) comprising: an automotive storage and playback device for coupling to the automobile (Figure 18 and column 53, lines 43 –47), the automotive storage and playback device including a first wireless transceiver to automatically receive digital content via a wireless local area network, the automotive storage and playback device coupled to an output device in the automobile that is capable of playing the digital content (Figures 1A – 1M, 3 and 4 and column 53, lines 34 –47); and a computer system communicably coupled to the wireless local area network and remotely located with respect to the automotive storage and playback device (Figure 1A and B), the computer system automatically obtaining, storing, and sending the digital content via a wireless local area network to the automotive storage (Figures 1A – 1M, 3 and 4 and column 53, lines 34 –47) and playback device when the automotive storage and playback device includes a wireless transceiver that is within range of the computer system obtaining the digital content from a wide area network based on user defined preferences input into the computer system (column 17, lines

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10 –16 and column 53, lines 34 –47), while the wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device (column 6, lines 19 – 44).

Regarding claim 16, Kolls teaches all the claimed limitations as recited in claim 14. Kolls further teaches of wherein the computer system sends the digital content periodically at times designated according to the user defined preferences input into the computer system (Figures 1A – 1M and column 54, lines 36 –43).

Regarding claims 17, 22, and 37, Kolls teaches all the claimed limitations as recited in claims 14,19, and 34. Kolls further teaches of wherein the computer system sends the digital content in response to a user action at the computer system (column 53, lines 43 –55 and column 44, lines 53 –60 and column 43, lines 46 –52 and column 39, lines 36 –50).

Regarding claims 18 and 23, Kolls teaches all the claimed limitations as recited in claims 14 and 19. Kolls further teaches of wherein the computer system comprises: a system control application to manage and control the transfer of the digital content (column 54, lines 6 –28); and a user interface (column 54, lines 6 –28).

Regarding claims 21 and 36, Kolls teaches all the claimed limitations as recited in claims 19 and 34. Kolls further teaches of wherein the automotive storage and playback device receives the digital content periodically at times designated according to the user defined preferences input into the computer system (Figures 1A – 1M and column 54, lines 36 –43).

Regarding claim 24, Kolls teaches all the claimed limitations as recited in claim 19. Kolls further teaches of further comprising a storage and datalink unit coupled with the first wireless transceiver, the storage and datalink unit to receive the digital content from the first

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wireless transceiver and convert the digital content into at least one of binary data and instructions (column 54, lines 6 –19).

Regarding claims 28 and 41, Kolls teaches all claimed limitations as recited in claims 19 and 34. Kolls further teaches of wherein the digital content includes at least one of a music file, a text file, an image file, a video file, and an interactive multimedia file (column 53, lines 43 – 47).

Regarding claim 29, Kolls teaches all claimed limitations as recited in claim 19. Kolls further teaches of wherein the wide area network is Internet (column 53, lines 34 –43).

Regarding claim 38, Kolls teaches all claimed limitations as recited in claim 34. Kolls further teaches of decompressing and converting the digital content into at least one of binary data and instructions (abstract and column 54, lines 6 –19).

Regarding claim 39, Kolls teaches all claimed limitations as recited in claim 38. Kolls further teaches of comprising transferring the converted content to an output device in the automobile (Figures 18 and 4).

Regarding claim 40, Kolls teaches all claimed limitations as recited in claim 39. Kolls further teaches of comprising playing the converted content on the output device (Figures 18 and 4).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2, 15, 20, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) as applied to claims 1, 14, and 34 and further in view of Cannon et al. (Cannon, US Patent No. 6,408,232) and McCall et al. (McCall, US Patent No. 6,738,628).

Regarding claim 2, Kolls teaches all the claimed limitations as recited in claim 1. Kolls does not specifically teach of further comprising control firmware to cause the first wireless transceiver to broadcasts a discovery message periodically and automatically when the automobile is turned off to discover a system control application in the computer system for the purpose of transferring the digital content (though it should be noted a similar operation is mentioned in column 33, lines 30 – 61 and further that the device is connected to a battery in column 7, lines 31 –37, implying the use without operation of the automobile; note further that discovery messages are inherent to Bluetooth).

In a related art dealing with information transfer in vehicles, Cannon teaches of the first wireless transceiver to broadcasts a discovery message periodically and automatically when the automobile is turned off to discover a system control application in the computer system for the purpose of transferring the digital content (column 3, lines 47 –60; note further that discovery messages are inherent to Bluetooth).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' data link system, Cannon's operation provisions while off, for the purposes of safety (for example as fueling of an automobile cannot occur when the car is ignited) and efficient time use (as when during fueling), as taught by Cannon (and inferred by Kolls).

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Kolls in view of Cannon do not specifically teach of control firmware (though it is noted that such are common to Bluetooth).

In related art dealing with Bluetooth, McCall teaches of control firmware (column 5, lines 9 –27).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls and Cannon's data system, McCall's firmware, for the purposes of controlling devices in order for them to be identified appropriately, as taught by McCall.

Regarding claim 15, Kolls teaches all the claimed limitations as recited in claim 1. Kolls further teaches of wherein the computer system sends the digital content automatically in response to the automotive storage and playback device broadcasting a discovery message (though it should be noted a similar operation is mentioned in column 33, lines 30 – 61 and further that the device is connected to a battery in column 7, lines 31 –37, implying the use without operation of the automobile; note further that discovery messages are inherent to Bluetooth).

Kolls does not specifically teach of control firmware and to the system control application when the automobile coupled to the automotive storage and playback device is turned off.

In a related art dealing with information transfer in vehicles, Cannon teaches of and to the system control application when the automobile coupled to the automotive storage and playback device is turned off (column 3, lines 47 –60; note further that discovery messages are inherent to Bluetooth).

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It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' data link system, Cannon's operation provisions while off, for the purposes of safety (for example as fueling of an automobile cannot occur when the car is ignited) and efficient time use (as when during fueling), as taught by Cannon (and inferred by Kolls).

Kolls in view of Cannon do not specifically teach of control firmware (though it is noted that such are common to Bluetooth).

In related art dealing with Bluetooth, McCall teaches of control firmware (column 5, lines 9 –27).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls and Cannon's data system, McCall's firmware, for the purposes of controlling devices in order for them to be identified appropriately, as taught by McCall.

Regarding claims 20 and 35, Kolls teaches all the claimed limitations as recited in claims 19 and 34. Kolls does not specifically teach of wherein decontrol firmware on the automotive storage and playback device broadcasts a discovery message periodically and automatically for the purpose of synchronizing content from a system control application on the computer system when the automobile is turned off (though it should be noted a similar operation is mentioned in column 33, lines 30 – 61 and further that the device is connected to a battery in column 7, lines 31 –37, implying the use without operation of the automobile; note further that discovery messages are inherent to Bluetooth).

In a related art dealing with information transfer in vehicles, Cannon teaches of the automotive storage and playback device broadcasts a discovery message periodically and automatically for the purpose of synchronizing content from a system control application on the

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computer system when the automobile is turned off (column 3, lines 47 –60; note further that discovery messages are inherent to Bluetooth).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' data link system, Cannon's operation provisions while off, for the purposes of safety (for example as fueling of an automobile cannot occur when the car is ignited) and efficient time use (as when during fueling), as taught by Cannon (and inferred by Kolls).

Kolls in view of Cannon do not specifically teach of control firmware (though it is noted that such are common to Bluetooth).

In related art dealing with Bluetooth, McCall teaches of control firmware (column 5, lines 9 –27).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls and Cannon's data system, McCall's firmware, for the purposes of controlling devices in order for them to be identified appropriately, as taught by McCall.

14. Claims 6 – 8 and 25 –27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) as applied to claim 5, and further in view of Lee et al. (Lee, US Patent No. 6,374,177).

Regarding claims 6 and 25, Kolls teaches all the claimed limitations as recited in claim 5 and 24. Kolls further teaches of further comprising a head unit coupled to the storage and data link unit (Figure 4 and 18 and column 53, lines 43 –47 and column 54, lines 6 –25).

Kolls does not specifically teach of via at least one cable.

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In a related art dealing with an on-board navigation computer system used in automobiles, Lee teaches of via at least one cable (as seen in Figure 4 and column 13, lines 45 – 48).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' head-data link system, Lee's cables, for the purposes of reliably disseminating data on a automobile, as taught by Lee.

Regarding claims 7 and 26, Kolls in view of Lee, teach all the claimed limitations as recited in claims 6 and 25. Both Kolls and Lee teach of wherein the head unit comprises: a stereo sound processor (Kolls: Figure 18; Lee: Figure 4 and column 13, lines 8 – 54); an audio mixer coupled with the stereo sound processor (Kolls: Figure 18; Lee: Figure 4 and column 13, lines 8 – 54); a pre-amplifier coupled with the audio mixer; an amplifier coupled with the pre-amplifier (Kolls: Figure 18; Lee: Figure 4 and column 13, lines 8 – 54); a tuner coupled to an antennae attached to the automobile (Kolls: Figure 18; Lee: Figure 4 and column 13, lines 8 – 54); and a user interface (Kolls: Figure 18; Lee: Figures 2 and 4 and column 13, lines 8 – 54).

Regarding claims 8 and 27, Kolls in view of Lee, teach all the claimed limitations as recited in claims 7 and 26. Both Kolls and Lee teach of wherein the head unit further comprises: a compact disc drive coupled with the stereo sound processor (Kolls: Figure 18; Lee Figure 4, for example) and Lee further teaches of an audiocassette drive coupled with the stereo sound processor (column 8, lines 44 – 47 and column 1, lines 6 – 8).

15. Claims 10 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) as applied to claim 5 above, and further in view of Kikinis (Kikinis, US Patent No. 6,055,566).

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Regarding claims 10 and 30, Kolls teaches all the claimed limitations as recited in claims 5 and 24. Kolls does not specifically teach that wherein the storage and datalink unit includes a battery (though it should be noted that Kolls teaches of coupled to a battery in column 7, lines 31 –37).

In a related art dealing with a media player, Kikinis teaches of wherein the storage and datalink unit includes a battery (column 2, lines 52 – 55).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls head-data link system, Kikinis' battery, for the purposes of portable playback, as taught by Kikinis.

16. Claim 11 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) as applied to claim 5 above, and further in view of Obradovich (Obradovich, US Patent No. 6,542,794).

Regarding claims 11 and 31, Kolls teaches all the claimed limitations as recited in claims 5 and 24. Kolls does not specifically teach of wherein the storage and datalink unit includes a temperature-based control system (though it should be noted that Kolls teaches of service information as seen in the abstract).

In a related art with a vehicle control and multimedia system, Obradovich teaches of wherein the storage and datalink unit includes a temperature-based control system (as seen in Figure 1 and column 3, lines 30 – 40 and Figure 18).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' storage and data link system, Obradovich's temperature control, for the

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purposes of providing a centralized information and control system in an automobile that is user friendly and easy to use, as taught by Obradovich.

17. Claims 12 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) as applied to claim 5 above, and further in view of Chee et al (Chee, US Patent No. 6,324,054).

Regarding claims 12 and 32, Kolls teaches all the claimed limitations as recited in claims 5 and 24. Kolls does not specifically teach of wherein the storage and datalink unit includes a vibration dampening system.

In an analogous art dealing storage protection, Chee teaches of wherein the storage and datalink unit includes a vibration dampening system (column 2, lines 40 – 56, Figure 6 and column 5, lines 54 –61 and column 5, lines 6 –14).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls automotive storage-data link system, Chee's shock absorbing system, for the purposes of protecting data in an unstable environment (such as an automobile) as taught by Chee.

18. Claims 13 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) and Chee et al (Chee, US Patent No. 6,324,054) as applied to claims 12 and 32 above, and further in view of Berberich et al. (Berberich, US Patent No. 5,703,734).

Regarding claims 13 and 33, Kolls in view of Chee teach all the claimed limitations as recited in claims 12 and 32. Chee further teaches of wherein the vibration dampening system includes elastomeric suspension (column 7, lines 25 –35).

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Kolls in view of Chee do not specifically teach of caps.

In a related art dealing with storage media, Berberich teaches of caps (Figure 2; column 6, lines 31 – 40; Figures 9 and 10; and column 9, lines 6 – 21) and further of the vibration dampening system includes two elastomeric suspension caps (Figure 2; column 6, lines 31 – 40; Figures 9 and 10; and column 9, lines 6 – 21)

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls and Chee's storage-data link system, Berberich's shock absorbing/dampening material, for the purposes of protecting the device and the material stored, as taught by Berberich.

19. Claims 42 – 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) in view of Cannon et al. (Cannon, US Patent No. 6,408,232) and McCall et al. (McCall, US Patent No. 6,738,628).

Regarding claim 42, Kolls teaches of an automotive storage and playback device for coupling to an automobile comprising: a wireless transceiver to receive digital content automatically from a computer system via a wireless local area network (Figures 1A – 1M, 3, 4, and 18 and column 53, lines 34 – 47).

Kolls does not specifically teach of control firmware; wherein the control firmware and the wireless transceiver cooperate to broadcast a discovery message automatically and periodically when the automobile is turned off (though it should be noted a similar operation is mentioned in column 33, lines 30 – 61 and further that the device is connected to a battery in column 7, lines 31 – 37, implying the use without operation of the automobile; note further that discovery messages are inherent to Bluetooth).

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In a related art dealing with information transfer in vehicles, Cannon teaches of the wireless transceiver broadcasts a discovery message automatically and periodically when the automobile is turned off (column 3, lines 47 –60; note further that discovery messages are inherent to Bluetooth).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' data link system, Cannon's operation provisions while off, for the purposes of safety (for example as fueling of an automobile cannot occur when the car is ignited) and efficient time use (as when during fueling), as taught by Cannon (and inferred by Kolls).

Kolls in view of Cannon do not specifically teach of control firmware (though it is noted that such are common to Bluetooth).

In related art dealing with Bluetooth, McCall teaches of control firmware (column 5, lines 9 –27).

It would have been obvious to one skilled in the art at the time of invention to have included into Kolls and Cannon's data system, McCall's firmware, for the purposes of controlling devices in order for them to be identified appropriately, as taught by McCall.

Regarding claim 43, Kolls in view of Cannon and McCall teach all the claimed limitations as recited in claim 42. Kolls further teaches of wherein the digital content is acquired automatically by the computer system (Figures 1A – 1M and column 54, lines 36 –43).

Regarding claim 44, Kolls in view of Cannon and McCall teach all the claimed limitations as recited in claim 42. Kolls further teaches of wherein the digital content is based on user-defined preferences input into the computer system (Figures 1A – 1M and column 54, lines 43 –65 and column 44, lines 52 –60).

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20. Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kolls (Kolls, US Patent No. 6,389,337) in view of Cannon et al. (Cannon, US Patent No. 6,408,232).

Regarding claim 46, Kolls teaches of an article of manufacture having one or more recordable media with executable instructions stored thereon which, when executed by a system, causes the system to perform a method (Figures 1A – 1M, 3 and 4 and column 53, lines 43 –47) comprising: causing a transfer of digital content from a computer system to an automotive storage and playback device (column 53, lines 34 – 47), wherein at least a portion of the digital content was obtained from a wide area network while the wireless local area network is not within range of the wireless transceiver of the automotive storage and playback device (column 6, lines 17 –44), and further wherein selection of the digital content to obtain is based on user defined preferences input into the remote computer system (column 44, lines 52 –60).

Kolls does not specifically teach of causing the automotive storage and playback device to periodically and automatically send one or more messages via a wireless transceiver to the computer system when the car is turned off (though it should be noted a similar operation is mentioned in column 33, lines 30 – 61 and further that the device is connected to a battery in column 7, lines 31 –37, implying the use without operation of the automobile; note further that discovery messages are inherent to Bluetooth).

In a related art dealing with information transfer in vehicles, Cannon teaches of causing the automotive storage and playback device to periodically and automatically send one or more messages via a wireless transceiver to the computer system when the car is turned off (column 3, lines 47 –60; note further that discovery messages are inherent to Bluetooth).

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It would have been obvious to one skilled in the art at the time of invention to have included into Kolls' data link system, Cannon's operation provisions while off, for the purposes of safety (for example as fueling of an automobile cannot occur when the car is ignited) and efficient time use (as when during fueling), as taught by Cannon (and inferred by Kolls).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tanmay S Lele whose telephone number is (703) 305-3462. The examiner can normally be reached on 9 - 6:30 PM Monday – Thursdays and on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on (703) 308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Tanmay S Lele
Examiner
Art Unit 2684


NAY MAUNG
SUPERVISORY PATENT EXAMINER

tsl
May 18, 2004